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BY THE HOUSE OF DELEGATES,
January 31st, 1882.
Considered, amended and adopted.
By order,
Jos. B. Seth,
Chief Clerk.

RULES AND ORDERS

FOR THE

Regulation and Government

OF THE

HOUSE OF DELEGATES

OF

MARYLAND.

January Session, 1882.

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RULES

OF THE

HOUSE OF DELEGATES,

JANUARY SESSION, 1880.

The Duties of the Speaker.

RULE I.

The Speaker shall take the Chair every day precisely at the hour to which the House stands adjourned ; shall immetdiately call the members to order, and after Divine Service has been performed, on the appearance of a quorum, shall cause the Journal of the preceding day to be read.

RULE II.

He shall preserve decorum and order ; may speak to points of order in preference to other members ; shall decide questions of order, subject to an appeal to the House by any two members ; and his decision of any question shall be final, unless the yeas and nays be required ; and he may vote on every question, except on an appeal from the decision of the Chair, on a question of order.

RULL III.

The Speaker shall examine and correct the Journal before it is read ; he shall have a general direction of the Hall ; he shall have a right to name, from time to time, any member to perform the duties of the Chair, but such substitution shall not extend beyond a term of seven days ; he shall appoint all Conferees and Committees, unless otherwise directed by the House ; and may admit Stenographers, willing to take down debates, and assign them such places on the floor or elsewhere, to effect their object, as shall not interfere with the business or convenience of the House.

RULE IV.

In case of any disturbance or disorderly conduct in the lobby, the Speaker (or Chairman of the Committee of the Whole House) shall have power to order the same to be cleared.

RULE V.

No person shall be admitted within the bar of the House but members of the Executive and Judicial Departments, members of the Senate, ex-Governors, former members of the Legislature, and such other persons as may be invited by the Speaker.

Of the Order of Business.

RULE VI.

1.—The presentation and disposition of Petitions, Memorials, Applications, or other papers.

2.—Orders.

3.—Leaves to introduce Bills.

4.—Unfinished business.

5.—Resolutions.

6.—Reports of Standing Committees.

7.—Reports of Select Committees.

8.—Resolutions entitled to a second reading.

9.—Bills entitled to a second reading.

10.—Bills entitled to a third reading.

The Order of the Day will then be taken up for consideration; which last shall not be taken up before 12 o'clock, unless all the ordinary business shall have been previously disposed of, and shall, after that hour, have preference over all ordinary business.

Bills upon their second reading shall be the Order of the Day on Tuesdays and Thursdays, and shall have preference over all other business.

The Committee on Elections, Ways and Means, and Judiciary may report bills at any time to the House.

Of Decorum, Debate, &c.

RULE VII.

Every member shall take his seat when the Speaker takes the Chair.

RULE VIII.

No member shall absent himself from the service of the House unless he have leave, or be sick and unable to attend.

RULE IX.

When a member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat, uncovered, and respectfully address himself to "*Mr. Speaker*," He shall confine himself to the question under debate; shall avoid personality, and shall use some other distinction than the proper name of any other member to whom he may refer in debate.

RULE X.

If two or more members shall rise to speak at the same time, the Speaker shall determine which shall speak first, and no member shall speak more than twice to the same question; nor more than once, until every member choosing to speak, shall have spoken.

RULE XI.

If any member shall, in any manner, transgress the Rules of the House, the Speaker shall, or any member may, call him to order; in which case, the member so called to order, shall immediately sit down, unless permitted to explain; and the House shall, if appealed to, decide on the case, but without debate. If there be no appeal the decision of the Chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall not be permitted to proceed without leave of the House, and, if the case require it, he shall be liable to the censure of the House.

RULE XII.

No member shall vote on any question in the result of which he is immediately and particularly interested, nor in any case where he was not present when the vote was taken, without leave of the House; and upon a division and count

of the House on any question, no member, without the Bar, shall be counted.

RULE XIII.

Every member who shall be in the House when the question is put, shall give his vote, unless the House for special reasons, shall excuse him. And the refusal of any member present to vote, on calling the yeas and nays, shall be noted on the Journal at the request of any member.

RULE XIV.

No member, without the permission of the House, shall answer on the yeas and nays, who did not divide on the question; and if any member divide on one side and answer on the other on calling the yeas and nays, the same shall be noted on the Journal at the request of any member.

RULE XV.

No member shall take out of the House any Bill, or other paper belonging to the House, without leave of the Speaker, and no original paper shall be delivered to any person during the recess of the Legislature, without a written order from the Speaker.

RULE XVI.

Any member, on motion, or in debate, may call for the reading of any Law, Journal, Record, or other Public Proceedings, which may relate to the subject matter.

RULE XVII.

The name of any member making a motion, presenting any petition, memorial, or other paper, proposing any resolution, order, or other matter, shall be inserted on the Journal; but if any motion or proposition be withdrawn, all proceedings relating immediately thereto, shall be expunged from the Journal.

RULE XVIII.

While the Speaker is putting any question, or addressing the House, none shall walk out or across the House; nor in such case, or while a member is speaking, shall hold private discourse, so as to interrupt debate.

RULE XIX.

When a motion is made and seconded, it shall be stated by the Speaker; or being in writing, it shall be handed to

the Chair, and read aloud by the Clerk, before debate; and every motion shall be reduced to writing, if the Speaker or any member require it.

RULE XX.

When a motion is made and seconded, or when a question is under debate, the matter shall receive a determination by the question; and no motion shall be received, but a motion to adjourn, to lie on the table, for the previous question, to postpone to a day certain, to commit, to amend, to postpone indefinitely—which several motions shall have precedence in the order in which they are arranged. A motion to strike out the enacting words of the bill, shall have precedence of a motion to amend ; and, if carried, shall be equivalent to its rejection ; and when a question is postponed indefinitely, the same shall not be acted on again during the session.

RULE XXI.

The Previous Question shall be in this form: *"Shall the Main Question be now put?"* It may be called for on any question ; the whole or any section of a bill ; and when demanded by a majority of the members present, it shall preclude all further amendment or debate on the question, bill or section on which it has been ordered.

RULE XXII.

On a motion for the previous question, or a motion to lie on the table, or a motion to adjourn, there shall be no debate. And all incidental questions arising after either of these motions have been made, and pending the same, shall be decided, whether upon appeal or otherwise, without debate.

RULE XXIII.

Every question shall be entered on the Journal, and the yeas and nays shall be taken when required by five members who shall have divided on the question ; and whenever the yeas and nays are ordered to be taken, no question of adjournment shall be received or propounded by the Speaker, until the yeas and nays are called, counted and reported.

RULE XXIV.

Any member may call for the division of the question which shall be divided, if it comprehends propositions in sub-

stance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House.

RULE XXV.

A motion to strike out and insert shall be deemed indivisible; but the matter proposed to be inserted may be divided, if required, according to Rule XXIV. A motion to strike out being lost, shall preclude neither amendment nor a motion to strike out and insert. No motion or proposition on a subject different from that under consideration, shall be admitted under color of amendment.

RULE XXVI.

All questions, except on the final passage of a bill, or a motion to suspend the rules, or those otherwise herein provided for, shall be determined by a majority of the members present; those dividing in the affirmative rising in their places, those in the negative continuing in their seats, and so *vice versa*, until a decision by the Speaker.

RULE XXVII.

The question on the final passage of a bill, shall always be determined by yeas and nays, which shall be recorded on the Journal; and unless it shall thus appear that a majority of the whole number of members elected to the House have voted in the affirmative, the bill shall be declared rejected.

RULE XXVIII.

When a question has once been decided in the affirmative or negative, a motion of reconsideration shall be in order, if made by one member and seconded by two others who voted in the majority, within three days of actual session, after the decision; but should a bill, on its final passage, be declared rejected merely for the want of a Constitutional majority, motion for reconsideration may be made by one member and seconded by two others who voted in either the affirmative or negative.

RULE XXIX.

Petitions, memorials, and other papers, addressed to the House, shall be presented by the Speaker, or by a member in his place; and the object of all petitions and memorials shall be endorsed on the back, and entered on the Journal.

RULE XXX.

The unfinished business in which the House was engaged at the preceding adjournment, shall have the preference in the orders of the day; and no Motion or any other business shall be received, without the special leave of the House, until the former is disposed of.

RULE XXXI.

Any fifteen members, (including the Speaker, if there be one,) shall be authorized to compel the attendance of absent members. But calls of the House shall be made, if required, by seven members, at any time when a subject is under consideration.

RULE XXXII.

Every Committee shall have leave to report by bill or otherwise.

RULE XXXIII.

No Committee shall sit, during the sitting of the House, without special leave.

RULE XXXIV.

On an election of any officer of trust or profit, no ballot shall be counted unless the person for whom it be given be nominated to the House before the balloting be commenced, except as may be otherwise provided for by the Constitution.

RULE XXXV.

When a blank is not filled up, and different sums, numbers, or times shall be proposed, the question shall be taken on the largest sum or number, and on the longest time.

RULE XXXVI.

Upon calls of the House, or on taking the yeas and nays, the names of the members, shall be called by counties, according to seniority.

On Bills and Resolutions.

RULE XXXVII.

Every bill shall be introduced by motion for leave, by an order of the House, or on the report of a Committee, and in either of the two cases first mentioned, shall be referred to a Committee to report thereon.

RULE XXXVIII.

Every bill shall receive three readings in the House, on three different days of the session, previous to its passage, unless two-thirds of the members elected to the House otherwise determine; the first of which readings shall be by the title only, unless a majority of the House shall otherwise order.

RULE XXXIX.

The first reading of a bill shall be for information, and if opposition be made to it, the question shall be: "Shall this Bill be considered?" If no opposition be made, or if the question to consider be decided in the affirmative, the bill shall go to its second reading without a question.

RULE XL.

All bills of a local character, and of a partial operation, received from the Senate, shall be referred to a Select Committee of three members, to be appointed by the Speaker, and bills of a public or general character, received from the Senate, relating to subjects upon which Committees have been appointed, shall be referred, severally, to the Committee to which the same belong respectively.

RULE XLI.

Every resolution originating in the House, or received from the Senate, shall be read on two several days, with an intermission of one day at least, during which time it shall lie on the table, for the perusal of members, unless on every urgent occasions the House, by special order, two-thirds of the members present agreeing, dispense with the rule; which order shall be entered on the Journal.

RULE XLII.

All resolutions which have been once read, and are entitled to a second reading, and all bills which have been

once or twice read, and are entitled to a second or third reading by the rules of the House, shall be arranged every morning agreeably to seniority by the Clerk, placed on the Speaker's desk, taken up by them in due order, the date of their last reading announced, and read a second or third time, although no motion for a second or third reading may have been made.

Members having bills or other matter connected with the business of the House to be copied, shall place the same in the hands of the Chief Clerk, who shall have them correctly copied and returned to the members.

RULE XLIII.

The following Standing Committees, to consist of seven members, (except the Committees on Ways and Means, on the Judiciary, on Corporations, on Education, on Elections, on Inspections, on Engrossed Bills and Resolutions, and on the Library, which shall consist of nine members each, and the Committee on the Chesapeake Bay and its Tributaries, which shall consist of seventeen members, one from each of the Legislative Districts of Baltimore city, and one from each of the following counties, viz: Baltimore, Anne Arundel, Charles, Calvert, St. Mary's, Harford, Cecil, Kent, Queen Anne's, Talbot, Dorchester Wicomico, Worcester and Somerset,) shall be appointed by the Speaker, viz:

1. A Committee on Elections.
2. A Committee on Ways and Means.
3. A Committee on Claims.
4. A Committee on the Judiciary.
5. A Committee on Pensions.
6. A Committee on Internal Improvements.
7. A Committee on Education.
8. A Committee on Militia.
9. A Committee on Agriculture.
10. A Committee on Corporations.
11. A Committee on Inspections.
12. A Committee on Colored Population.
13. A Committee on Manufactures.
14. A Committe on Public Buildings.
15. A Committee on Public Records.

16. A Committee on the Library.
17. A Committee on Printing.
18. A Committee on Insolvency.
19. A Committee on Engrossed Bills and Resolutions.
20. A Committee on Expiring Laws.
21. A Committee on Federal Relations.
22. A Committee on the Currency.
23. A Committee on the Contingent Fund, placed at the disposal of the Executive.
24. A Committee on Roads and Highways.
25. A Committee on the Chesapeake Bay and its Tributaries.
26. A Committee on Immigration.
27. A Committee on the part of the House, on Joint Committee, on Section 24, Article 3, of the Constitution.

None of the above Committees shall be increased or decreased, except by a two-thirds vote of all the members elected to the House.

RULE XLIV.

All bills reported to the House by a Committee, shall be printed in bill form; but bills of a local character shall not be printed unless ordered by a special vote of the House.

RULE XLV.

Reports of Committees on subjects of a private or local nature shall not, in future, be entered *in extenso* on the Journal; but the favorable or unfavorable character only of such reports shall be placed on the Journal.

RULE XLVI.

No standing rule or order shall be rescinded or changed without one day's notice being given of the motion therefor. Nor shall any rule be suspended, except by a vote of at least two-thirds of the members present.

RULE XLVII.

It shall not be necessary in organizing the House of Delegates, to require the presence of any former officers except the Chief Clerk, the Reading Clerk, Sergeant-at-Arms and Doorkeepers, and no other of the former officers shall receive compensation for attendance.

Committee of the House.

RULE XLVIII.

The House shall be resolved into a Standing Committee of the Whole on the condition of the State, if required by seven members; which Committee may originate Bills or Resolutions. Bills on their third reading, and all other matters on their second reading, shall, if required by five members, be committed to a Committee of the Whole House.

RULE XLIX.

In forming a Committee of the Whole House, the Speaker shall leave his Chair, and a Chairman to preside in Committee shall be appointed by the Speaker.

RULE L.

Upon Bills, Resolutions, Reports, Orders, or other matters committed to a Committee of the Whole House, the same shall be first read throughout by the Clerk, and then again read and debated by clauses, leaving the title and preamble to be last considered. The body of the Bill, Resolution, Report, Order, or other matter, shall not be defaced or interlined, but all amendments, noting the page and line, shall beduly entered by the Clerk on a separate paper, as the same shall be agreed to by the Committee, and so report to the House. After report, the Bill, Resolution, Report, Order, or other matters, shall again be subject to debate and amended by clauses.

RULE LI.

The Rules of Proceedings in the House shall be observed in a Committee of the Whole House, so far as applicable.

RULE LII.

The officers of the House shall be one Chief Clerk, at a per diem of eight dollars, one Reading Clerk, at a per diem of seven dollars, one Journal Clerk, at a per diem of seven dollars, one Engrossing Clerk, at a per diem of seven dollars, three Assistant Engrossing Clerks, at a per diem of five dollars, one Sergeant-at-Arms, at a per diem of five dollars, five Committee Clerks, at a per diem of five dollars, three Doorkeepers, at a per diem of five dollars, three Folders, at a per diem of five dollars, one Keeper of Committee Rooms, at a per diem of five dollars, two Pages, at a per diem of five dollars,

one Messenger to the Speaker, at a per diem of five dollars, four Chaplains, at one hundred dollars each, for the Session.

No extra compensation shall be allowed to any Member or Officer of the House during the present Session.

All clerks, officers and employes, shall be prompt in their attendance at each opening of the House, and shall remain at their several posts during the entire sitting of the House, ready to render any service in accordance with their several duties.

No clerk, officer or employe shall be absent at *any time* during the sitting of the House, unless by permission of the Speaker, nor absent himself from the service of the House, unless by permission asked (in writing) and obtained from the House during its sitting.

Upon proper information and just complaint, the Speaker is authorized to suspend any clerk, officer or employe, and shall report the fact to the House at its then or next sitting.

THE CHIEF CLERK

Shall keep the Minutes of Proceedings in the House, and make out, subject to the control of the Speaker, the Journal of said proceedings, in readiness for the same to be read at the next meeting of the House.

He shall keep the files of the House, preserving all petitions and other papers belonging to the archives.

He shall place appropriate endorsements upon all papers presented to the House, and after entering the same in books kept for that purpose, send to the Printer of the House such as are to be printed, and to the appropriate Committees such as are referred without printing.

He shall convey all messages from the House to the Senate, preceded by the Sergeant-at-Arms.

He shall receive all messages from the Senate, when presented by that body.

He shall receive from members the drafts of bills intended to be presented by them to the House; have them copied in bill form, and returned to the desk of the members, with the original, in the order in which they are presented to him.

He shall, every morning, arrange, agreeably to seniority, all resolutions which have been once read, and are entitled to a second reading, and all bills which have been once or

twice read, and are entitled to a second or third reading, and place them on the Speaker's desk.

THE READING CLERK

Shall call the roll each day at the opening of the House, read all bills, resolutions and other matter when handed him by the Speaker.

THE SERGEANT-AT-ARMS

Shall attend the House during its sitting, *to aid in the enforcement of order, under the direction of the Speaker;* to execute the commands of the House from time to time; together with all such process, issued by authority thereof, as shall be directed by the Speaker.

The symbol of his office (the Mace) shall be borne by him when in the execution of his office.

THE COMMITTEE CLERKS

Shall copy all manuscripts handed them by the Chief Clerk in such manner as he shall direct, and return the original copy to him when completed.

THE PAGES

Shall, each morning, lay upon the desks of the several members a copy of the printed Journal, and all other printed matter ordered by the House.

Shall wait upon the members in any matter directly connected with the House.

THE DOORKEEPERS

Shall close the doors leading into the Hall so soon as the Chaplain commences prayer, and shall prevent conversation, walking, or any interruption whatever outside the Bar of the House during religious services.

Shall close, and keep closed, both doors of the Bar of the House, and take and keep position directly thereat, allowing no person to pass, unless in *strict conformity to the Fifth Rule,* viz:

"No person shall be admitted within the Bar of the House but members of the Executive and Judiciary Departments, members of the Senate, ex-Governors, former members of

the Legislature, and such other persons as may be invited by the Speaker."

Shall prevent the abuse of property in the lobbies.

Shall keep the aisles outside the Bar of the House clear, so that ingress and egress of members shall not be interrupted.

Shall give full attention to the comfort and seating in the lobbies of all visitors.

THE POSTMASTER

Shall, on the arrival of the mails, promptly deliver to the members all mail matter addressed to them, and shall collect from their desks all matter prepared for mailing.

THE HALL KEEPER

Shall enforce proper decorum and order in the rotunda, and shall exercise such provision over the Hall, when the House is not in session, as will prevent the loss and injury of property therein.